



13

**DECLARATION AND POWER OF ATTORNEY
FOR UNITED STATES PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **BIOREACTOR APPARATUS AND CELL CULTURING SYSTEM** described and claimed in the specification which:

(check one) is attached hereto;

 x was filed on October 25, 2001 Application;

Serial No. 10/003,481 and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also

identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>NONE</u>				
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

<u>60/243,121</u>	<u>October 25, 2000</u>
(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>NONE</u>		
(Appln. Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Appln. Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby appoint David W. Carrithers, Reg. No. 35,475 as my attorney, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and I request that all communications concerning this application be addressed to:

David W. Carrithers
CARRITHERS LAW OFFICE
One Paragon Centre
6060 Dutchman's Lane, Suite 140
Louisville, KY 40205
Telephone (502) 452-1233

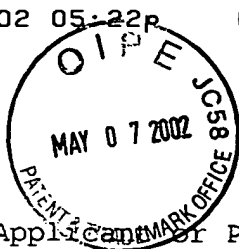
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 or the United States Code and that such willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: John C. Vellinger
Inventor's signature: John C. Vellinger Date: 3/18/02
Residence: 2979 N. Luther Rd.
5025 Denise Way, Floyd Knobs, IN 47119
Citizenship: United States
Post Office Address: Same

Full name of second inventor: Kenneth W. Barton
Inventor's signature: Kenneth W. Barton Date: March 18, 2002
Residence: 7757 Four Leaf Drive, Greenville, IN 47124
Citizenship: United States
Post Office Address: Same

Full name of third inventor: Mark S. Deuser
Inventor's signature: Mark S. Deuser Date: March 18, 2002
Residence: 3814 Dogwood Road, Floyd Knobs, IN 47119
Citizenship: United States
Post Office Address: Same

Full name of fourth inventor: Mark E. Wells
Inventor's signature: Mark E. Wells Date: 3-25-02
Residence: 401 Greenway Drive, Athens, AL 35613
Citizenship: United States
Post Office Address: Same



Applicant or Patentee: John Vellinger et al.
Serial or Patent No.: _____ Docket No.: AA206/98001
Filed or Issued: Filed Simultaneously Herewith
For: BIOREACTOR APPARATUS AND CELL CULTURING SYSTEM

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "BIOREACTOR APPARATUS AND CELL CULTURING SYSTEM", described in

- ☐ the specification filed herewith
☒ application Serial No. 10/003,481, filed October 25, 2001;
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☐ no such person, concern or organization

☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.

FULL NAME SPACE HARDWARE OPTIMIZATION TECHNOLOGY d/b/a SHOT, Inc.

ADDRESS 7200 Highway 150, Greenville, IN 47124-9515

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application for patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CAR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

John Vellinger

NAME OF INVENTOR

John Vellinger

Signature of Inventor

3/18/02

Date

Kenneth W. Barton

NAME OF INVENTOR

Kenneth W. Barton

Signature of Inventor

March 18, 2002

Date

Mark E. Wells

NAME OF INVENTOR

Signature of Inventor

Date

Mark S. Deuser

NAME OF INVENTOR

Mark S. Deuser

Signature of Inventor

March 18, 2002

Date

belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

John Vellinger
NAME OF INVENTOR

Signature of Inventor

Date

Kenneth W. Barton
NAME OF INVENTOR

Signature of Inventor

Date

Mark E. Wells
NAME OF INVENTOR

Mark E. Wells
Signature of Inventor

3-25-02
Date

Mark S. Deuser
NAME OF INVENTOR

Signature of Inventor

Date



Applicant or Patentee: John Vellinger et al.
Serial or Patent No.: _____ Docket No.: AA206/98001
Filed or Issued: Filed Simultaneously Herewith
For: BIOREACTOR APPARATUS AND CELL CULTURING SYSTEM

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CAR 1.9(f) and 1.27(b)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to
act on behalf of the concern identified below:

NAME OF CONCERN: SPACE HARDWARE OPTIMIZATION TECHNOLOGY, Inc.,
d/b/a SHOT, Inc..

ADDRESS OF CONCERN: 7200 Highway 150, Greenville, IN 47124-9515

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CAR §121.3-18, and reproduced in 37 CAR §1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in

☐ the specification filed herewith

☒ application serial no. 10/003,481, filed October 25, 2001

☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CAR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CAR 1.9(d) or a nonprofit organization under 37 CAR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CAR 1.27)

NAME NONE

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME NONE

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CAR §1.28(b)).

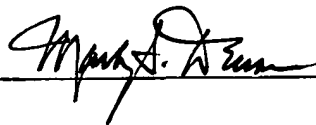
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Mark S. Deuser

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING SHOT, Inc.
7200 Highway 150
Greenville, IN 47124-9515

SIGNATURE



DATE March 18, 2002

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CAR §1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING John C. Vellinger

TITLE OF PERSON OTHER THAN OWNER Vice President

ADDRESS OF PERSON SIGNING SHOT, Inc.

7200 Highway 150

Greenville, IN 47124-9515

SIGNATURE John C. Vellinger DATE 3/18/02